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HYDERABAD, WEDNESDAY, OCTOBER 22, 2014.

NOTIFICATIONS BY GOVERNMENT

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COMMISSIONER OF PROHIBITION AND EXCISE, TELANGANA

PSs - PROHIBITION AND EXCISE INSPECTORS - REVISED PROVISIONAL INTEGRATED SENIORITY LIST OF MZ-III – OBJECTIONS RECEIVED – DISPOSED – FINAL INTEGRATED SENIORITY LIST OF MZ-III (DRs) – COMMUNICATED.

- Ref:-
- 1) Final Integrated Seniority list of P&E.Is of MZ-III in Cr.No.2399/2009/CPE/L3-3 dated 29.09.2009.
 - 2) Orders of Hon'ble APAT in O.A.No.11590/2009 & Batch dated 17.03.2010.
 - 3) Orders of the Hon'ble APAT in O.A.No.11245/2009 dt.07-07-2010.
 - 4) From the Secretary APPSC Letter No.15/RS/23A/2010, dated 19.10.2010.
 - 5) Revised Provisional Integrated Seniority list of P&EIs of MZ-III in Cr.No.12782/2009/CPE/L3, dated 25.03.2011 published vide A.P. Extraordinary Gazette No.61, dated:18.04.2011.
 - 6) Orders of Hon'ble High Court in W.P.No.13052/2010 & batch dated 24.01.2014.
 - 7) Disposal of Objections in Cr.No.12782/2009/CPE/TS/A2- (1) to (10), Dated 06-09-2014.

C.R.No. 12782/2009/CPE/TS/A2.— In the recerence 1st cited, integrated seniority lists of P&EIs of all the Multi-zones in the Department were finalized based on roster fitment in respect of directly recruited P&EIs and the same was challenged before Hon'ble APAT in OA No. 11590/2009 & Batch.

- 2) In the reference 2nd cited, the Hon'ble APAT issued the following orders:

"In these circumstances, it is clear that the merit is the criteria and the roster point is only to calculate the quantum of reservation. In the present case, the respondents stated that they have prepared the seniority list as per roster point. Thus, the procedure followed by the respondents is clearly illegal and not correct. Even as per Rule 33(b) of A.P. State and Subordinate Service Rules, the order of merit or order of preference indicated in a list of selected candidates prepared by the Public Service Commissioner or other selecting authority, shall not be disturbed inter-se with reference to the candidates position in such list or panel while determining the seniority in accordance with this rule and notional dates of commencement of probation to the extent necessary, shall be assigned to the persons concerned with reference to the order of merit or order of preference assigned to them in the said list.

In view of the above facts, the impugned seniority list dt. 16.08.2007 and the consequential integrated seniority list dt. 29.9.2009 are liable to be set aside and they are accordingly set aside. The respondents are directed to prepare the seniority list of Prohibition and Excise Inspectors of Zone-II strictly as per the merit assigned by the 4th respondent i.e., APPSC as per Rule 33 of A.P. State and Subordinate Service Rules and not according to the roster point within a period of 8 weeks from the date of receipt of copy of this order by following the procedure prescribed in the rules and consider the cases of applicants for promotion to the post of Assistant Excise Superintendents as per seniority and as per the directions of this Tribunal. The OAs., are accordingly allowed".

- 3) Further, the Hon'ble APAT in O.A.No.11245/2009, dt.07-07-2010, filed by Sri K. Prabhu Vinay Kumar, P&E.I., Warangal Division, has issued the following orders:

"In these circumstances it is clear that the merit is the criteria that the roster point is only with respect to the quantum of reservation. In the present case, on perusal of the seniority list it is seen that it is not prepared duly following the A.P. State and Subordinate Service Rules.

Respondents contended that as per the orders of the Government applying Rule 16(h), as both applicant and the unofficial respondent (Sri K. Vara Prasad) did not pass the departmental tests within the probation period, they were pushed down in the seniority list. If the applicant and the unofficial respondent are pushed down for not passing the departmental tests then the applicant should be above the unofficial respondent in seniority as he got more marks than the unofficial respondent in the qualifying examination.

In these circumstances, the impugned seniority list, dated 29.09.2009, is liable to be set-aside and the respondents are directed to prepare the seniority list of Prohibition and Excise Inspectors in Multi-Zone-III strictly as per the merit assigned by the 4th respondent-APPSC, within a period of eight weeks from the date of receipt of a copy of the order by following the procedure

prescribed under the rules and shall consider the case of the applicant for promotion to the post of Assistant Excise Superintendent as per his seniority, eligibility and if he comes within the zone of consideration as per the directions of this Tribunal.

The O.A. is accordingly allowed."

4) In order to maintain uniformity in application of law, it was decided to follow the above orders of the Hon'ble APAT in all Zones of the Department. The Secretary, APPSC was requested to communicate the common merit ranking prepared by the Commission without reference to roster points for the directly recruited batches of P&EIs to give compliance to the orders of the Hon'ble APAT. In the reference 4th cited, the Secretary APPSC has communicated the merit list of Inspectors of all zones appointed, vide notification No.8/90 and 6/94, for necessary action. Basing on which the DCs concerned have finalized the revised final seniority list of Zone-V and Zone-VI and furnished for preparation of integrated seniority list.

5) In the reference 5th cited, Provisional Integrated Seniority List of P&EIs of MZ-III were communicated calling for objections, if any.

6) The orders of APAT issued in the references 2nd cited and consequential provisional integrated seniority lists of P&EIs were challenged before the Hon'ble High Court in WP.No.13052/2010 & batch. Initially, on 28.4.2011, the Hon'ble High Court granted interim suspension on the operation of the said list. In other WPs, status quo was granted.

7) In the reference 6th cited, the Hon'ble High Court passed a common judgment in WP No.13052/2010 & batch with the following observations:

"We do not find any merits in the Writ Petitions. They are accordingly dismissed.

The Miscellaneous petitions filed in the Writ Petitions shall also stand disposed of. There shall be no order as to costs".

8) In view of the above judgment of the Hon'ble High Court, the orders of the APAT, in O.A.No.11590/2009 & batch, dt.17.3.2010 and O.A.No.11245/2009, dt.07-07-2010 have become final.

9) In the light of the above, the objections received against the Provisional Integrated Seniority List of P&EIs of MZ-III communicated in the reference 5th cited have been examined as per orders of the Hon'ble APAT, Hon'ble High Court, relevant rules/Government orders and disposed of vide reference 7th cited.

10) Accordingly, the Revised Final Integrated Seniority list of P&EIs of MZ-III is herewith communicated.

Revised Final Integrated Seniority list of Prohibition & Excise Inspectors of Multi Zone-III

Sl. No.	Revised Seniority No in the Integrated Seniority List dated 29-9-2009.	Name of Prohibition & Excise Inspector	Zone	Date of Birth	APPSC Marks	Date of Regularisation	Remarks
1	46	P. Surender Rao	V	1-Jan-69	474.00	3-Oct-95	Expired
2	47	H. Dattaraj Gound	V	26-Jul-69	468.50	13-Oct-95	P&ES
3	48	M. Gangaram	V	1-Jan-63	422.50	13-Oct-95	P&ES
S. Nos. from (49) to (60) are promotees and their places remain un-changed.							
4	61	V. Somi Reddy	VI	4-Jun-73	344.60	2-Nov-96	P&ES
5	62	C. Narsimha Reddy	VI	1-Jan-64	338.20	2-Nov-96	P&ES
6	63	J. Umesh	VI	21-Oct-67	337.45	2-Nov-96	Left the Dept.
7	64	J. Ravi Kumar	V	10-Oct-69	336.60	2-Nov-96	P&ES
8	65	P. Sridhar	VI	4-Apr-69	334.50	2-Nov-96	P&ES
9	66	K. Raghuram	VI	14-May-70	333.95	2-Nov-96	P&ES
10	67	A. Shambu Prasad	V	15-Oct-63	332.75	2-Nov-96	P&ES
11	68	A. Vijay Bhaskar Reddy	VI	15-Jun-72	330.30	2-Nov-96	P&ES
12	69	A. Chandraiah	VI	12-Apr-69	329.55	2-Nov-96	P&ES
13	70	C.V. Shashidhar Reddy	VI	24-Feb-72	329.45	2-Nov-96	AP&ES
14	71	G. Srinivas Reddy	VI	14-Jun-71	329.30	2-Nov-96	AP&ES
15	72	T. Vijay Shekar	VI	4-Jul-69	322.15	2-Nov-96	P&ES
16	73	K. Chandra Shekhar	VI	8-Jun-66	321.45	2-Nov-96	AP&ES
17	74	G. Srinivas	V	6-Jul-67	319.75	2-Nov-96	P&ES
18	75	B. Jyothi Kiran	VI	29-May-73	317.60	2-Nov-96	P&ES
19	76	M. Humantha Rao	V	17-Aug-69	317.40	2-Nov-96	Left the Dept
20	77	V. Srinivas	VI	1-Jun-67	316.30	2-Nov-96	Expired
21	78	S. Panchakshari	V	6-Sep-65	313.60	2-Nov-96	P&ES
22	79	D. Srikanth Reddy	V	4-Aug-71	313.30	2-Nov-96	Selected as DR AES
23	80	D. Srinivas	V	11-Jun-67	313.00	2-Nov-96	P&ES
24	81	B. Srinivas	VI	21-Aug-70	311.80	2-Nov-96	Resigned
25	82	G. Ganesh	V	6-Jun-68	306.25	2-Nov-96	P&ES
		K. Jayasimha Chowdary		15-Jul-67	305.40	2-Nov-96	Transferred to other zone. His name is figuring in the seniority list of other Zone. Hence, not assigned seniority.
26	83	S. Srinivas Rao	VI	21-Jul-69	304.00	2-Nov-96	AP&ES
27	84	E. Raja Babu	VI	1-Aug-67	300.50	2-Nov-96	Resigned
28	85	S. Krishya Priya	VI	4-Aug-69	281.00	2-Nov-96	AP&ES
29	86	P. Dasaratha	VI	5-May-68	279.75	2-Nov-96	P&ES
30	87	R. Suresh	V	3-Apr-73	264.10	2-Nov-96	AC
31	88	Y. Hima Sri	VI	29-Jun-68	239.00	2-Nov-96	AP&ES
32	89	K. Anitha	V	9-Dec-67	209.95	2-Nov-96	AP&ES
33	90	R. Mahipal Reddy	VI	28-Apr-65	311.10	29-May-97	AP&ES. The date of regularization is as per the advise of the APPSC, dt.24.01.2003.
34	91	S. Ravinder Raju	V	9-Mar-64	308.95	29-May-97 /27-Dec-97	AP&ES. His placement is u/r 37 of APS&SS Rules, 1996 and subject to outcome of W.P.No.40013/2012 dt.12-3-2013

Sl. No.	Revised Seniority No in the Integrated Seniority List dated 29-9-2009.	Name of Prohibition & Excise Inspector	Zone	Date of Birth	APPSC Marks	Date of Regularisation	Remarks
35	92	K. Vijay Bhaskar	VI	20-Mar-69	308.30	29-May-97	AP&ES. The date of regularization is as per the advise of the APPSC, dt.24.01.2003.
36	93	R. Kishan	VI	7-Jan-72	233.30	29-May-97	P&ES. The date of regularization is as per the advise of the APPSC, dt.24.01.2003.

Sl.Nos. from (94) to (104) are promotees and their places remain un-changed.							
37	105	V. Srinivas	V	4-Jun-70	318.00	28-Jul-98	AP&ES
38	106	M. Shankaraiah	V	2-Jul-68	239.80	28-Jul-98	AP&ES
Sl.No.s from (107) to (117) are promotees and their places remain un-changed.							
39	118	K. Prabhu Vinay Kumar	V	6-Jun-64	315.50	25-Jul-99	AP&ES. As per orders of APAT dt.7.7.2010 in O.A.No.11245/2009
40	118(A)	K. Varaprasad	V	6-Feb-64	260.90	25-Jul-99	P&ES

Hyderabad,
Dt. 06-09-2014.

AHMAD NADEEM,
Commissioner of Prohibition & Excise.

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